

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, DECEMBER 14, 2016**

MINUTES

1. The Willmar Planning Commission met on Wednesday, December 14, 2016, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

**** Members Present:** Randy Czarnetzki, Gary Geiger, Aaron Larson, Margaret Fleck, Steve Gardner, Bob Poe, and Rolf Standfuss.

**** Members Absent:** Rebecca Trongaard

**** Others Present:** Mike and Liz Marcus, Curt and Linda Jans, Megan DeSchepper-Planner.

2. MINUTES: The October 26, 2016 minutes were approved as submitted.

3. MARCUS LASH SALON HOME OCCUPATION CONDITIONAL USE PERMIT-FILE NO. 16-04: The public hearing opened at 7:01 p.m. Elizabeth Marcus presented a request for a conditional use permit for a home occupation lash salon out of her home on property legally described as follows: Lot 2, Block 4, Lakewood Third Addition (311 Country Club Dr. NE). Ms. Marcus explained that there is ample parking in the driveway and she does have room in the salon space for one other Aestheticians. She is a licensed Aesthetician and next summer lash salons will be regulated and require a license from the state. She has about 50 loyal customers and works a total of 18 hours a week, one client at a time for one to two hours at a time. Some limited hours of operation in evening or Saturday mornings only.

Curt and Linda Jans abutting property owners expressed concern about business expansion at the location increasing traffic and deliveries. They also inquired about retail sales.

Ms. Marcus stated she would only have room for one employee and would never want the business out of her home to be bigger than that. She has made some scarves for sale to clients, but can discontinue that. She will communicate better in the future to ensure that clients park in the driveway and not on the street whenever possible.

With no further comments from the public, the hearing closed at 7:12 p.m.

Staff comments were reviewed and discussed (see Attachment A).

The Commission discussed traffic and number of clients with the limited business hours and length of time for lash installation/maintenance. The driveway is ample and long for client parking. They inquired about deliveries to the home.

Ms. Marcus said the product is quite small with limited shipments, she stated her personal shopping deliveries would outnumber work related ones.

Mr. Gardner made a motion, seconded by Poe, to approve the conditional use permit with the following conditions:

- A. That the use meet all applicable local, state, and federal rules and regulations at all times.
- B. No more than one additional employee besides the owner shall operate out of the home occupation.

The Planning Commission reviewed and made affirmative findings of fact as per Zoning Ordinance Section 9.E.3.a.1-7.


The motion carried.

- 4. MISCELLANY: Staff thanked the Commissioners for their service over the year and especially to those members whose terms are up. Their time and dedication to the community is appreciated.

The Commission discussed and reviewed a partial draft of the accessory dwelling units ordinance staff has begun work on. Input was given regarding setbacks, sq. ft., existing ADU's etc. Staff took notes and will have a draft prepared for review at an upcoming meeting.

- 5. There being no further business to come before the Commission the meeting adjourned at 7:59 p.m.

Respectfully submitted,


Megan M. DeSchepper, AICP
Planner/Airport Manager

PLANNING COMMISSION-DECEMBER 14, 2016

STAFF COMMENTS

1. MARCUS LASH SALON HOME OCCUPATION CONDITIONAL USE PERMIT-FILE NO. 16-04:

- The applicant is Elizabeth Marcus, Willmar, MN.
- The applicant wishes to operate a one chair lash salon home occupation on property legally described as follows: Lot 2, Block 4, Lakewood Third Addition (311 Country Club Dr. NE).
- The property is zoned R-1 (One Family Residential).
- The applicant will be the sole employee, off street parking is available in the driveway, will take place within the home, and no exterior storage will occur of business related items.
- Sign permits are ancillary from the CUP and is limited to 2 sq. ft. in size and requires a sign permit.
- Hours of operation?
- Deliveries?

RECOMMENDATION: Approve the conditional use permit with the following condition:

- A. That all applicable local, state, and federal rules and regulations shall be met on site at all times.

NOTICE OF HEARING ON A REQUEST TO SUBDIVIDE PROPERTY

Notice is hereby given that the City of Willmar Planning Commission will meet on Wednesday, January 11, 2017, at 7:01 p.m. at the City Office Building (Conference Room #2 upstairs), 333 6th St. SW, Willmar, Minnesota, to conduct a public hearing to hear reasons for and against a subdivision plat submitted by AutoZone Inc., Memphis, TN. Said plat is a one lot subdivision of property described as: part of SW ¼ of NE ¼, Section 23, Township 119N, Range 35W (19th Ave. SE).

All property owners or residents living in the vicinity of the above described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter.

December 30, 2016
Date

Megan M. DeSchepper
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficiente, por favor comuníquese con Maria al 235-0850 ext. 1100, de Heartland Community Action Agency.

Haddii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeysiiskan, Fadlan Soo Wac: Sahra Gure, West Central Interpreting Services, LLC (320)235-0165 ama (320)441-8555.

NOTICE OF HEARING FOR PROPOSED REZONING

Notice is hereby given that the Willmar Planning Commission will meet at the Willmar City Office Building (Conference Room #2 upstairs), 333 6th St. SW, Willmar, Minnesota, at 7:03 p.m. on Wednesday, January 11, 2017, to consider the application of AutoZone for a change in zoning from SC (Shopping Center District) to GB (General Business) allowing development of an auto parts store on property legally described as follows: part of SW ¼ of NE ¼, Section 23, Township 119N., Range 35W (19th Ave. SE).

All property owners or residents living in the vicinity of the above-described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter.

December 30, 2016

Date

Megan M. DeSchepper

Planner

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Preliminary Plat of:

ROCKSTEP PLAZA SUBDIVISION

Located in:

Southwest Quarter of the Northwest Quarter
Section 23, T119N-R35W, Wilmar Township, Kandiyohi County, Minnesota



This drawing prepared by:
Ronnema Surveys Inc.
Professional Land Surveying
1800 22nd St. SW, Suite 404
Minneapolis, MN 55404
Office: (612) 331-2444
Fax: (612) 331-2427

Developed by: Rockstep Plaza, LLC
1443 West Loop NW, Box 603
Houston, TX 77008

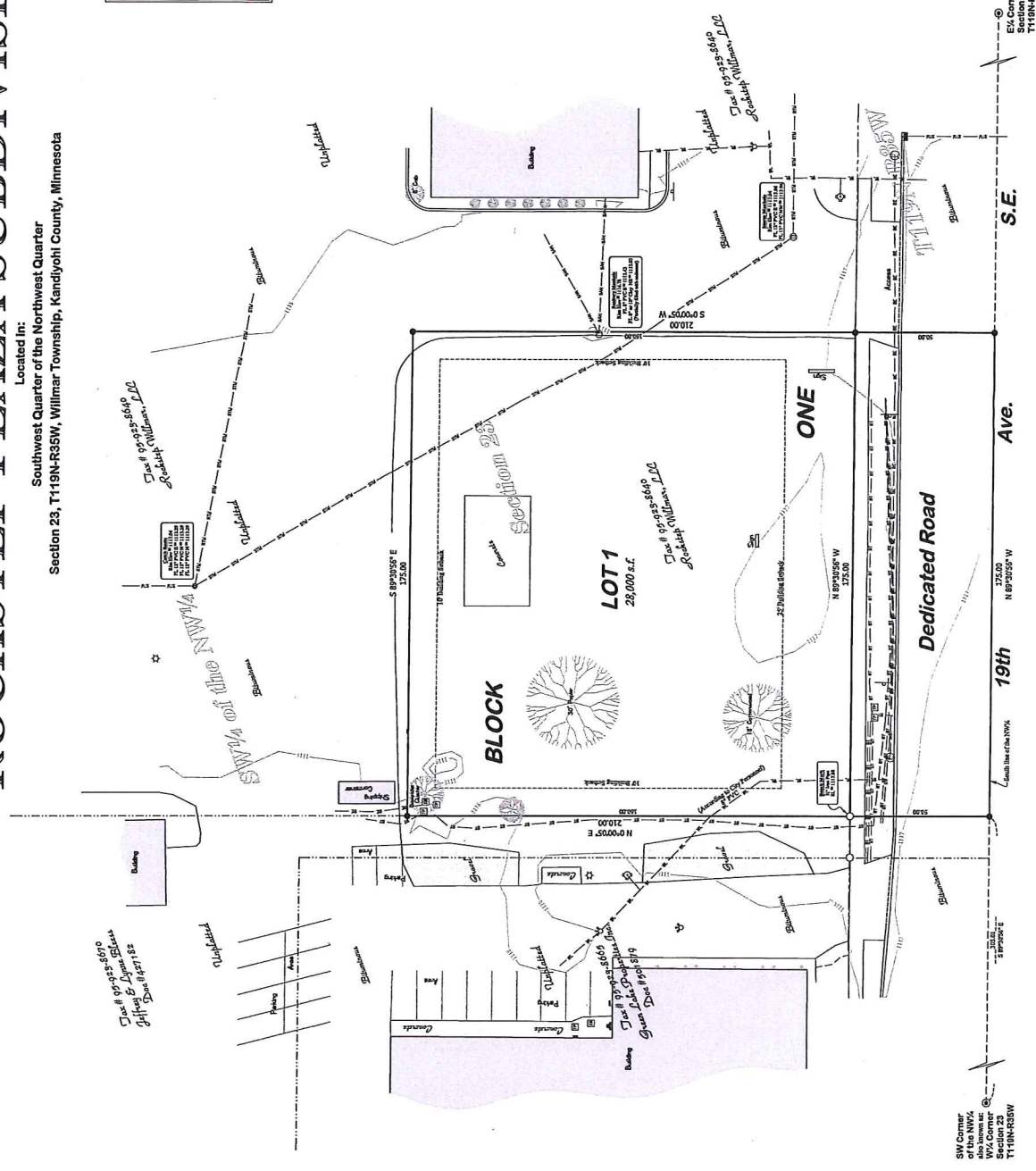


Vicinity Map - Not to Scale



Currently Zoned "SC" - Shopping Center
Total Area Platted - 36,750 ±
(0.84 Acres)

LEGEND	
○	Found Iron Nail/Post from former monument
●	Bearing Survey Plotted
⊙	Corner Iron Monument
⊗	Cast Iron Monument
⊕	Fire Hydrant
⊖	Cast Stone
⊗	Cast Stone
⊗	Light Pole
⊗	Monument Marker
⊗	Telephone Pole/Post
⊗	Electric Pole
⊗	Electric Meter
⊗	Water Shut Off
⊗	Gas Meter
⊗	Water Curb
⊗	Gas Curb
⊗	Drain
⊗	Gas Post
⊗	Drainage Tree with Area
⊗	Drain
⊗	Storm Sewer
⊗	Sewer Sewer
⊗	Buried Electric
⊗	Buried Telephone
⊗	Water Line
⊗	Gas & Electric
⊗	Sanitary Curb & Gutter
⊗	Building
⊗	Concrete
⊗	Gravel
⊗	Asphalt



SW Corner of the NW 1/4 of Section 23, T119N-R35W

19th Ave.

Dedicated Road

ONE

LOT 1
28,000 s.f.

BLOCK

Section 23

NW 1/4 of NW 1/4 of Section 23

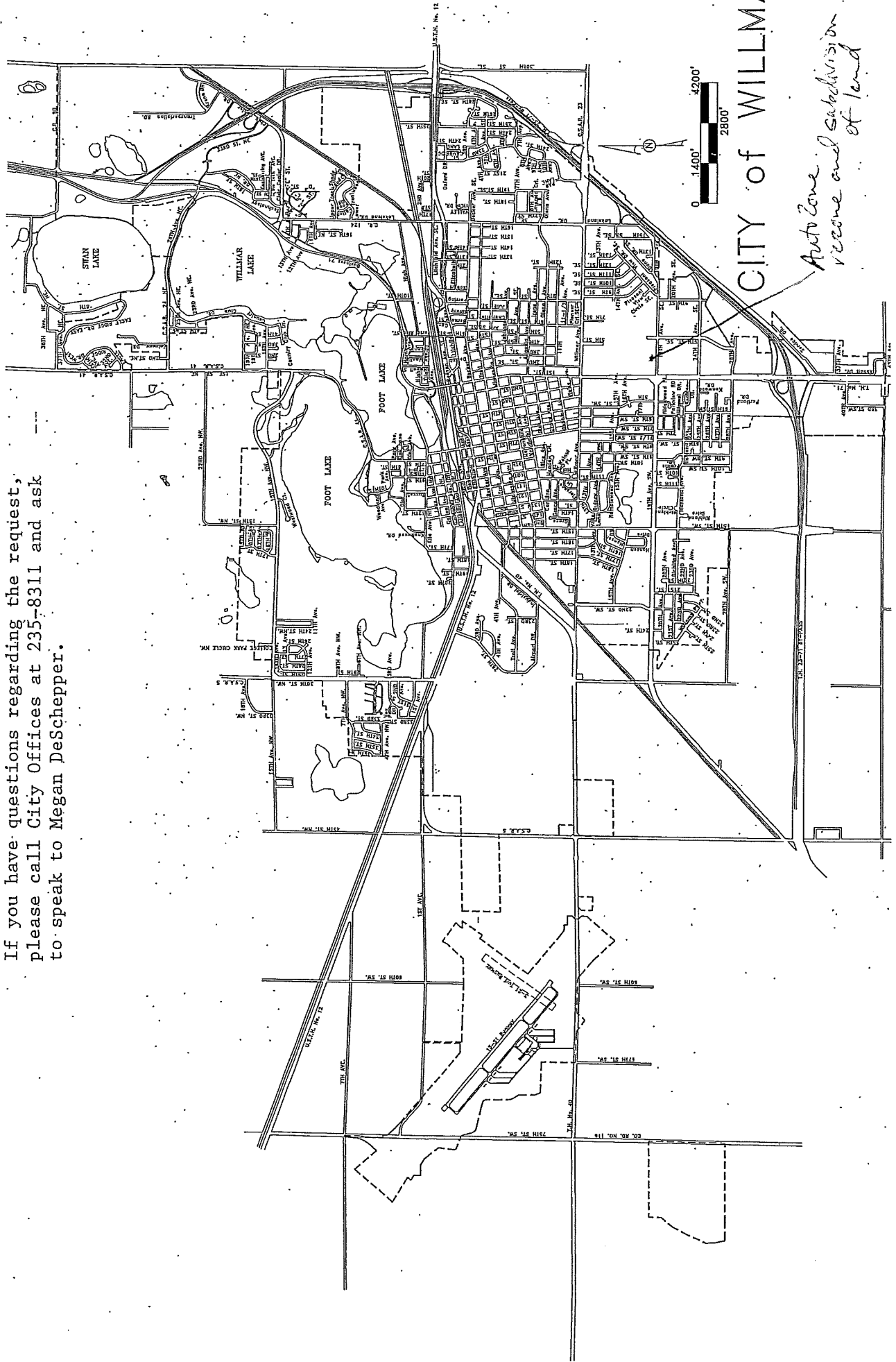
Rockstep Plaza, LLC
Tax # 09-935-5640

Rockstep Plaza, LLC
Tax # 09-935-5640

Rockstep Plaza, LLC
Tax # 09-935-5640

EX Corner
Section 23
T119N-R35W

If you have questions regarding the request,
 please call City Offices at 235-8311 and ask
 to speak to Megan DeSchepper.

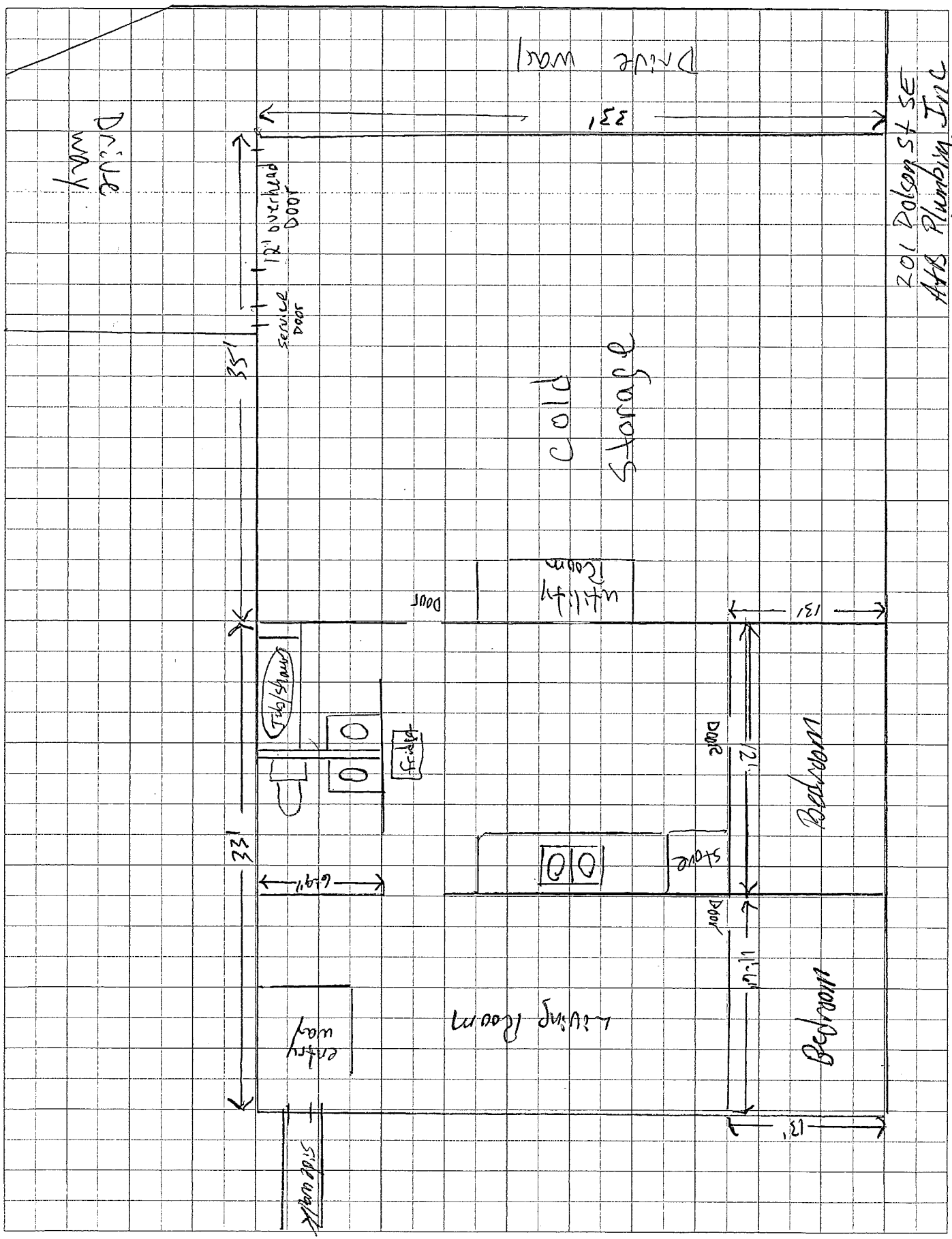
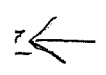


CITY OF WILLMAR

Auto Zone and Subdivision
 of land

730 D Plumbing / Remodeling

Benson Ave SE



201 Dolsen St SE
AHS Plumbing Inc
Robert Bodhmer
320-894-6605

Dolsen St SE

CITY OF WILLMAR

FAIRGROUNDS LIFT STATION PROJECT

ROADWAY VACATION

PROPOSED VACATION DESCRIPTION:

Vacate all that part of PARK AVENUE, as delineated and dedicated on the plat of THORPE AND LIENS ADDITION, according to the recorded plat thereof, Kandiyohi County, Minnesota, lying north of the south line of Block 2, and its easterly extension, as delineated and dedicated on the plat of PARSON'S SUBDIVISION, according to the recorded plat thereof, Kandiyohi County, Minnesota and lying westerly of the vacated portion of said Park Avenue as described in Document Number 82913 on file in the office of the County Recorder, Kandiyohi County, Minnesota.

PROPOSED VACATION DESCRIPTION:

Vacate all that part of PARK AVENUE, as delineated and dedicated on the plat of THORPE AND LIENS ADDITION, according to the recorded plat thereof, Kandiyohi County, Minnesota, lying north of the south line of Block 2, and its easterly extension, as delineated and dedicated on the plat of PARSON'S SUBDIVISION, according to the recorded plat thereof, Kandiyohi County, Minnesota and lying westerly of the vacated portion of said Park Avenue as described in Document Number 82913 on file in the office of the County Recorder, Kandiyohi County, Minnesota.

SURVEYOR'S NOTES:

1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.

SURVEYOR'S CERTIFICATION

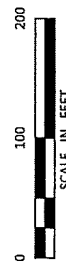
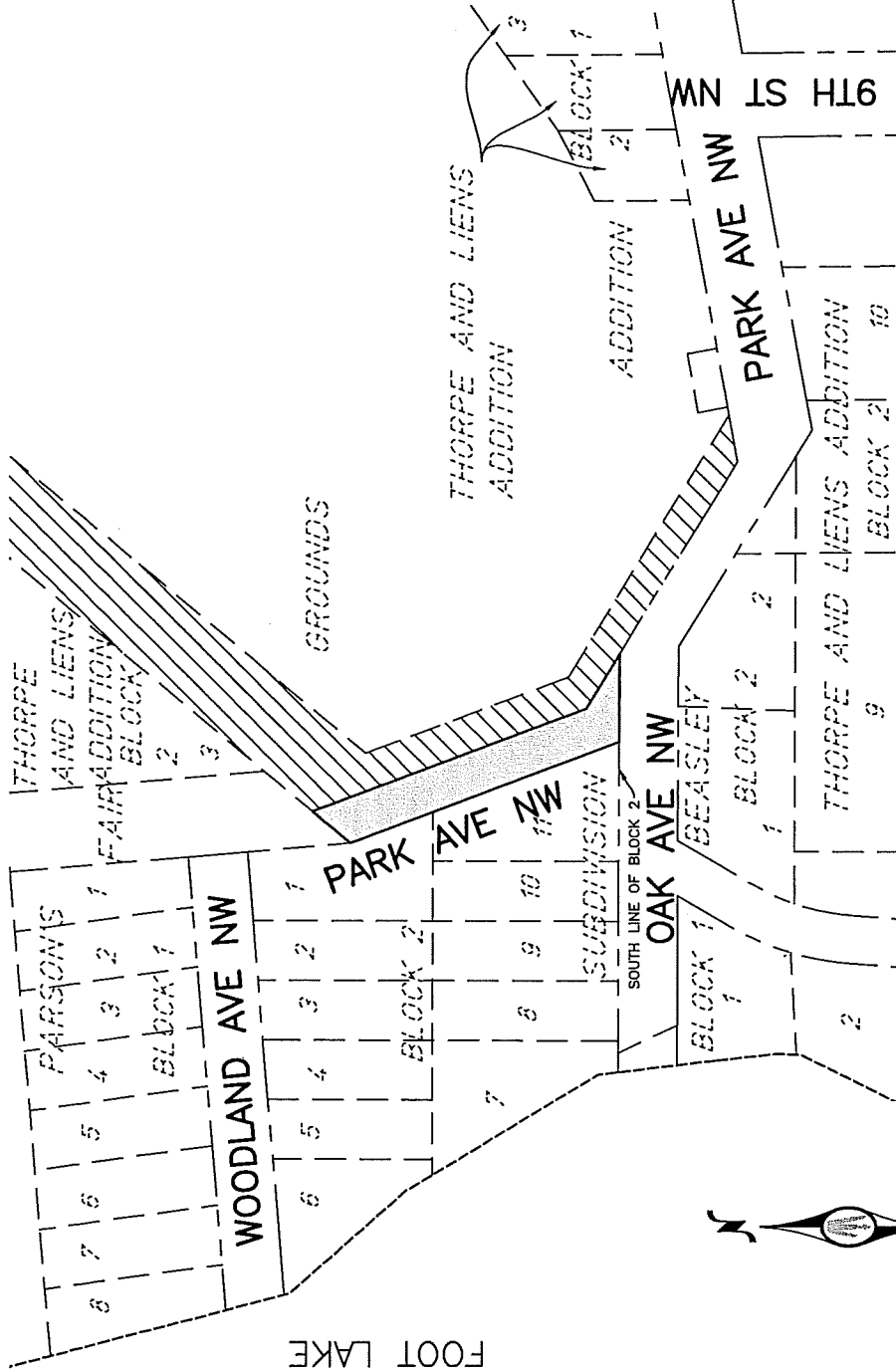
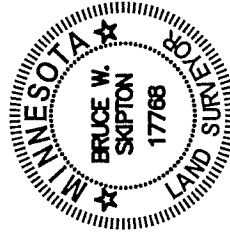
I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Bruce W. Skipton

09-22-2016

Date

Bruce W. Skipton
License Number 17768



LEGEND

PROPOSED RIGHT OF WAY
TO BE VACATED



PREVIOUSLY VACATED
RIGHT OF WAY BY
DOC.#82913



PROPOSED RIGHT OF WAY VACATION EXHIBIT

WILLMAR, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors

2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
(320)-231-3956

FOR: CITY OF WILLMAR

CITY OF WILLMAR

FAIRGROUNDS LIFT STATION PROJECT ***ROADWAY VACATION***

PROPOSED VACATION DESCRIPTION:

Vacate all of WOODLAND AVENUE, as delineated and dedicated on the plat of PARSON'S SUBDIVISION, according to the recorded plat thereof, Kandiyohi County, Minnesota.

Also reserving to the City of Willmar an utility easement over, under and across all of the above vacated WOODLAND AVENUE.

PROPOSED VACATION DESCRIPTION:

Vacate all of WOODLAND AVENUE, as delineated and dedicated on the plat of PARSON'S SUBDIVISION, according to the recorded plat thereof, Kandiyohi County, Minnesota.

Also reserving to the City of Willmar an utility easement over, under and across all of the above vacated WOODLAND AVENUE.

SURVEYOR'S NOTES:

1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.

SURVEYOR'S CERTIFICATION

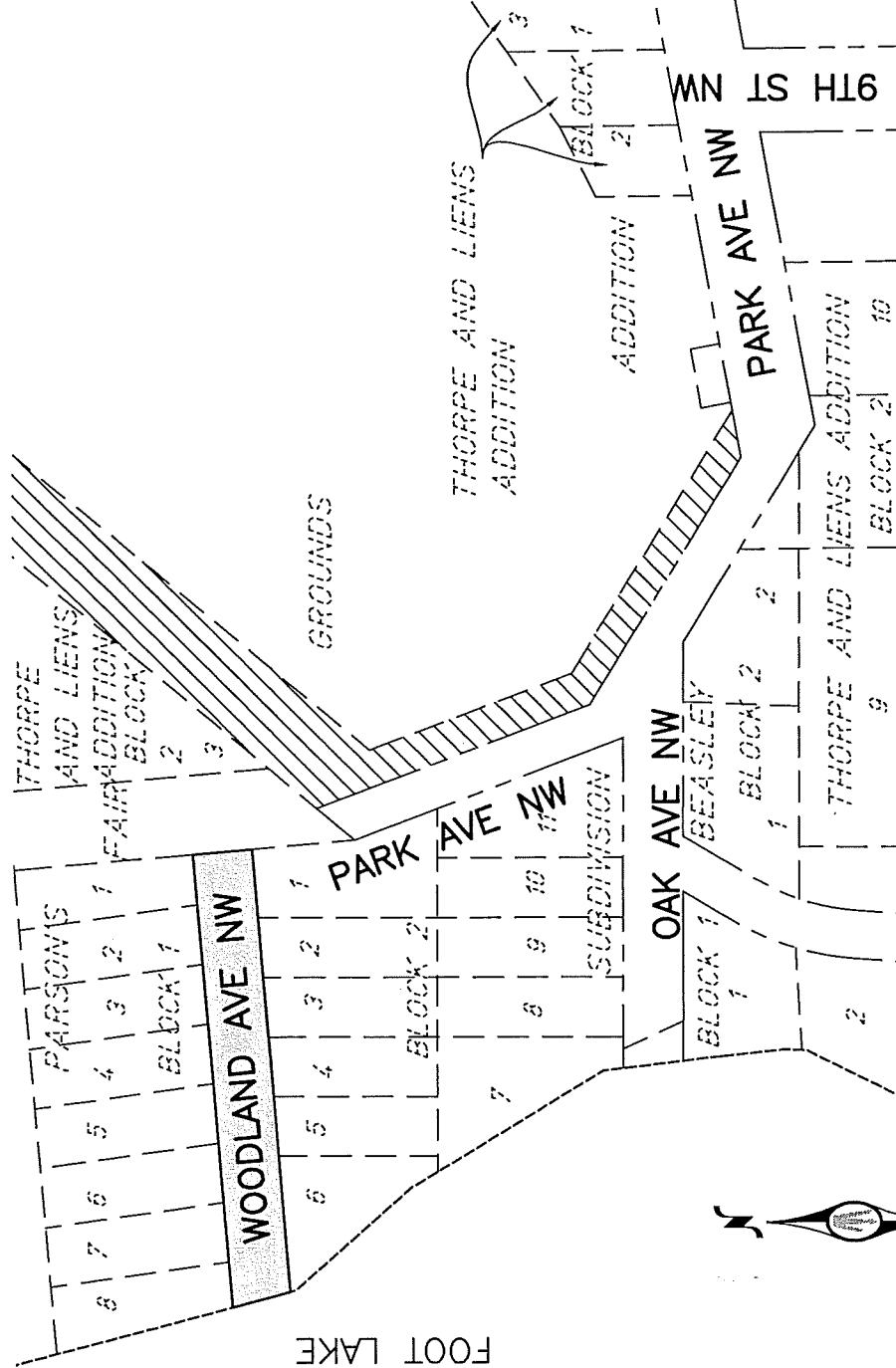
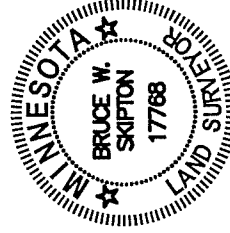
I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Bruce W. Skipton

Bruce W. Skipton
License Number 17768

09-22-2016

Date



LEGEND

PROPOSED RIGHT OF WAY
TO BE VACATED

PREVIOUSLY VACATED
RIGHT OF WAY BY
DOC.#62913

PROPOSED RIGHT OF WAY VACATION EXHIBIT

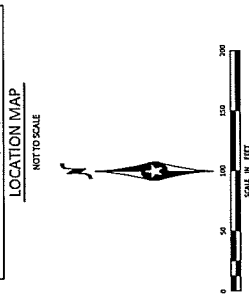
WILLMAR, MINNESOTA



BOLTON & MENK, INC.
Consulting Engineers & Surveyors

2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
(320)-231-3956

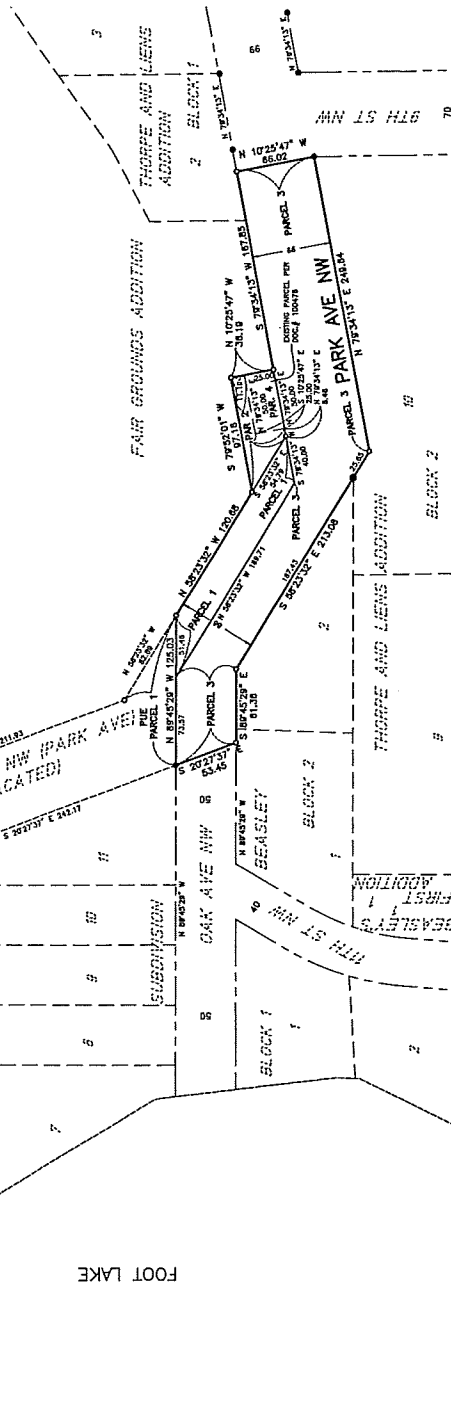
FOR: CITY OF WILLMAR



LEGEND

- | | |
|---|--|
| □ | 3/4" IRON PIPE MONUMENT SET
FOUNDED BY LC. NO. 1778 |
| ● | IRON PIPE MONUMENT FOUND |
| ● | CAST IRON MONUMENT FOUND |
| | DORIES IN PLAT BOUNDARY |
| | DORIES CASTING 6" W. LINE |
| | DORIES PROPOSED FOUNDMENT UTILITY CASSETT |
| | DORIES PROPOSED PARCEL LOT LINES |
| | DORIES CASTING LOT LINES |
| | DORIES FOUNDMENT UTILITY CASSETT |
| | PIC |

NOTES
--Orientation of this bearing system is based on the east line of Lot 11, Block 2, PARSON'S SUBDIVISION, according to the recorded plat thereon, Kandiyohi County, Minnesota, which is assigned a bearing of S 20°27'37"E.



NOTICE TO CITY OF WILLMAR
Reclamation by the City of Willmar is hereby designating the definite location of the City of Willmar Park Avenue NW Right of Way Plat In, FAR GROUNDS ADDITION, THORPE AND UEN ADDITION, and PARSONS'S SUBDIVISION, of public record, Kandiyohi County, Minnesota.

This plat prepared for the City of Willmar is hereby certified as the official plat of that part of PARSONS'S SUBDIVISION, as recorded in the County of Willmar, Minnesota pursuant to Minnesota Statutes, Chapter 502, 1793.

This public record, Kandiyohi County, Minnesota, is hereby certified as the official record of that part of PARSONS'S SUBDIVISION, as recorded in the County of Willmar, Minnesota pursuant to Minnesota Statutes, Chapter 502, 1793.

Kandiyohi County Recorder

_____ hereby certify that this instrument was filed for record in the office of the County Recorder in and for Kandiyohi County, Minnesota on this _____ day of _____, 20____ at _____ o'clock _____ M. on folder _____ and as Document No. _____.

Certified

SUBVENDOR

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota, that this plat meets the requirements of Minnesota Statutes Chapter 505.1793, and that the parcels are correctly designated and monumented as shown on this plat.

Doyle: *Journal of Management Education* 34(10):1037-1046, 2010. © 2010 Sage Publications.

Bruce W. Skipton	Monmouth Il	173AR
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17700

FOR NUMBER W38-332431

THIS PLAY PREPARED BY	DATE
RAYMOND W. BRYAN	1940

THIS PLAY PREPARED BY BOLTON & MERK, INC.
 HUGH DYI PRO

PINELAND	PARCEL	OWNER'S OF RECORD	TAX PARCEL ID NUMBER	LOCATION	EXISTING USE OF LAND (SP #/2)	NEW PROPOSED USE (SP #/2)	PERMANENT LOSS OF FORESTED LAND
1	1	Remayfield County Fair Association	B-110-0010	TEMPORARY LOTTERY TRUCKS AND LIQUOR ADDITION	—	4,081	38,424
2	2	Remayfield County Fair Association	B-110-0010	TEMPORARY LOTTERY TRUCKS AND LIQUOR ADDITION	—	1,344	—
3	3	City of Winnetka	—	TEMPORARY LOTTERY TRUCKS AND LIQUOR ADDITION	—	32,436	—

STATE OF MINNESOTA

COUNTY OF KANDIYOHI

CITY OF WILLMAR

In the matter of the Petition of
Calvary Lutheran Church to vacate
a Portion of 3rd Street SE
in the City of Willmar.

VERIFIED
PETITION FOR PARTIAL
VACATION OF STREET

Petitioner.

Petitioner, Calvary Lutheran Church, by and through its Council Vice-President, William Fenske, is the owner of adjacent real property located in Kandiyohi County and legally described as:

Section 14, Township 119, Range 35
Mittvet's Out Lot, City of Willmar

Physical Address: 1012 3rd Street SE, Willmar, MN 56201
Tax Parcel ID: 95-914-2260

"Parcel A"

And

Section 14, Township 119, Range 35
That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$), Section 14, Township 119, Range 35, more particularly described as follows, to-wit: Beginning at a point on a line running parallel with and 70 feet Southerly from the North line of Olena Avenue distance of 683 feet East, measured on said parallel line, of the West line of said Section 14; running thence East along said parallel line, a distance of 375 feet; running thence South on a line parallel with the West line of said Section 14, a distance of 365 feet; running thence West on a parallel line with the North line of Olena Avenue a distance of 375 feet; running thence North on a line parallel with the West line of said Section 14 a distance of 365 feet to the point of beginning

Physical Address: 302 Olena Ave SE, Willmar, MN 56201
Tax Parcel ID: 95-914-1510

"Parcel B"

Said properties abut that street identified on the Section 14 map as 3rd Street SE in the City of Willmar.

All taxes assessed against the above-described properties have been paid and there are no delinquent taxes owing for the properties.

Petitioner hereby petitions the Council for a resolution vacating a portion of 3rd Street SE lying Southerly of the South line of Olena Avenue SE, Northerly of the North line of 11th Street SE, East of Parcel A and West of Parcel B and consisting of approximately fifty (50) feet in width and three hundred and sixty-five (365) feet in length, all in the Southwest ¼ of Section 14, Township 119, Range 35 and as reflected in the drawing attached as Exhibit A.

Petitioner is the sole owner of the adjacent properties in the City of Willmar that abut the portion of 3rd Street SE as to which vacation is requested.

The portion of the street as to which vacation is sought no longer serves its intended purposes of ingress and egress from Parcel A and Parcel B and is no longer necessary to provide on-street parking to Parcel A and Parcel B. The portion of the street as to which vacation is sought is not a substantial thoroughfare as it terminates at 11th Street SE.

The requested vacation would be in the best interest of the public as it would move the terminus of 3rd Street SE three-hundred and sixty-five (365) feet North to Olena Avenue SE. This vacation would provide for the connection of both properties owned by Petitioner and would facilitate development on both lots which would ultimately be available for community use and activities.

As the portion of the street that is subject of this petition lies entirely between the adjacent and abutting properties owned by Petitioner, the ownership of the entirety of the vacated portion of the street will revert to Petitioner herein and any right of ways shall extinguish.

WHEREFORE, Petitioner prays for a resolution of the Council vacating the portion of the street as described/shown herein and declaring Petitioner to be the owner of such portion of said street as and hereby vacated.

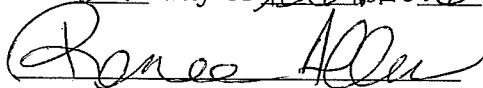
VERIFICATION

William Fenske, on behalf of Calvary Lutheran Church, being duly sworn, on oath says that he is the Petitioner in the above-entitled action, that he has knowledge of the facts stated in said petition and that he has read the foregoing petition and knows its contents; that the petition is true to his own knowledge

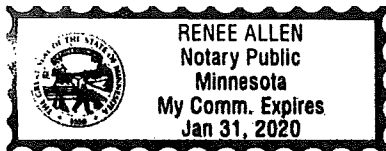


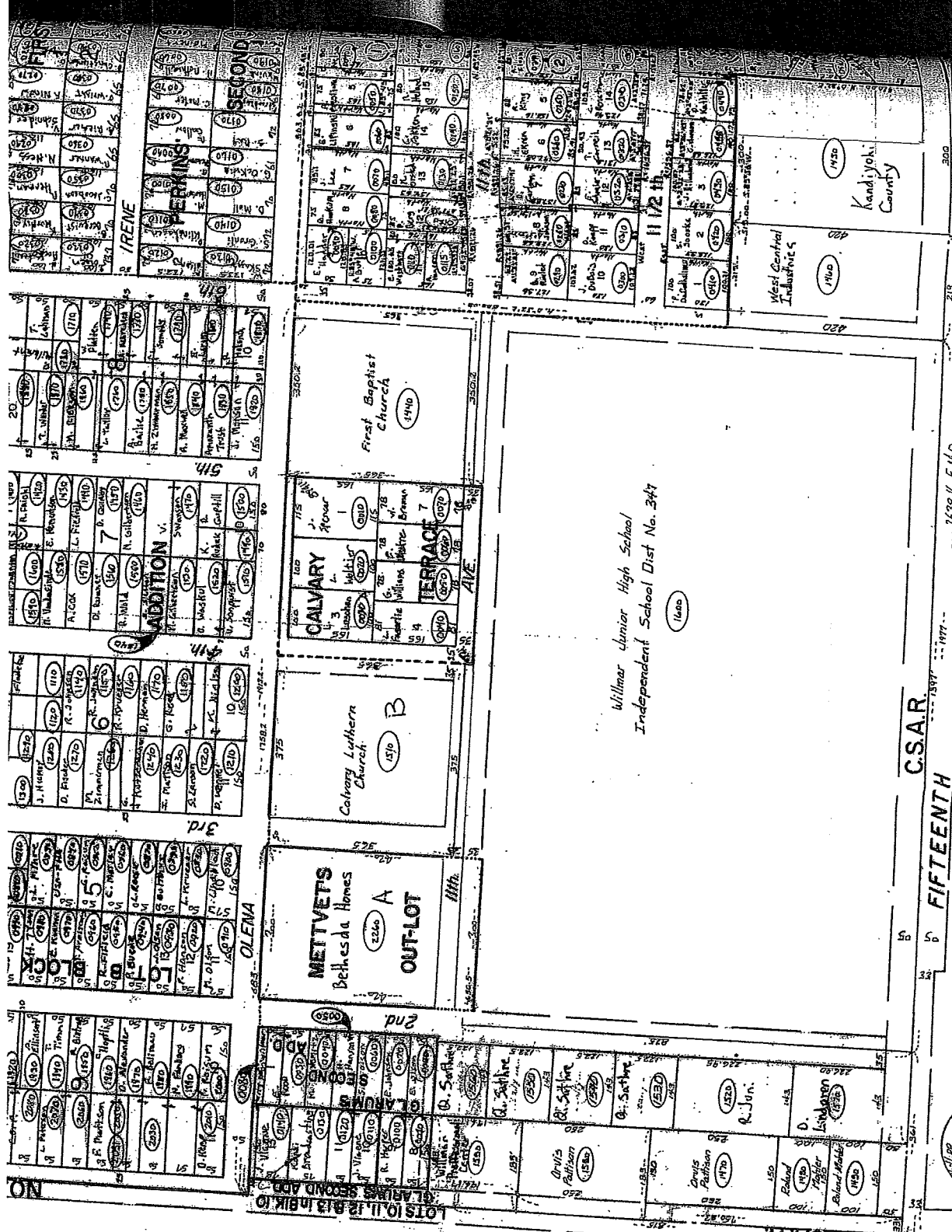
William Fenske

Subscribed and sworn to me
this 27 day of December 2016.



Notary Public





SW COR.
SEC. 14

SECTION

